



PTO/SB/30 (05-03)

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Request For Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/940,925
Filing Date	8-28-01
First Named Inventor	Dahlberg
Art Unit	1636
Examiner Name	Sullivan, D
Attorney Docket Number	FURS-06612

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☐ Deposit Account No. _____
- i. ☒ RCE fee required under 37 CFR 1.17(e) 05/24/2004 HALI11 00000031 09940925
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 385.00 OP
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 440.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Mary Ann P. Brow	Registration No. (Attorney/Agent)	42,363
Signature	<i>Mary Ann P. Brow</i>	Date	May 17, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	USPTO		
Signature	<i>USPTO</i>	Date	5-17-04

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James E. Dahlberg, *et al.*
Serial No.: 09/940,925 Group No.: 1636
Filed: August 28, 2001 Examiner: Daniel M. Sullivan
Entitled: **DETECTION OF TARGET SEQUENCES BY CLEAVAGE OF
NON-TARGET NUCLEIC ACIDS**

**AMENDMENT AND RESPONSE TO
OFFICE ACTION MAILED JANUARY 16, 2004
AND ADVISORY ACTION MAILED
MARCH 31, 2004**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 17, 2004

By: 

Mary Ellen Waite

Sir:

The following communication is filed in conjunction with a Request for Continued Examination (RCE), and is responsive to the Office Action mailed January 16, 2004, and the Advisory Action mailed March 31, 2004. A petition for a one month extension of time, from April 16, 2004, to May 17, 2004, (the next business day following Sunday, May 16th) is submitted herewith. Applicants respectfully request reconsideration of the application in view of the following amendments and remarks.

In accordance with the procedure for Revised Amendment Practice under 37 C.F.R. §1.121, please amend the above-identified application as follows:

Amendments to the Drawings are presented on page 3 of this paper, and include both an attached replacement sheet and an annotated sheet showing changes.

Amendments to the Claims are reflected in the listing of claims that begins on page 4 of this paper.

Remarks begin on page 8 of this paper.

AMENDMENTS TO THE DRAWINGS

The attached replacement sheet of drawings includes changes to Fig. 1. This sheet, which includes Fig. 1B, replaces the original sheet that included Fig. 1B and 1C. The drawing previously indicated as 1C is incorporated into revised Figure 1B.